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10/646,024	08/22/2003	Haixiang He	15964ROUS01U	9247

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EXAMINER

BANKS, CORBANN

ART UNIT PAPER NUMBER

2132

DATE MAILED: 11/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/646,024

Applicant(s)

HE, HAIXIANG

Examiner

Corbann A. Banks

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 - 19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>August 22, 2003</u>   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 13 is rejected under 35 U.S.C. 101 because it recites non-statutory matter. Here, it claims a "wireless access point, comprising: control logic configured to: ...", which is considered non-statutory matter as it appears to be a computer program per se, that is, descriptions or expressions of such a program and that is, descriptive material per se, non-functional descriptive material, and is not statutory because it is not a physical "thing" nor a statutory process, as there are not "acts" being performed. Such claimed computer programs do not define any structural and functional interrelationships between the computer program and other claimed aspects of the invention which permit the computer program's functionality to be realized. Since a computer program is merely a set of instructions capable of being executed by a computer, the program itself is not a process, without the computer-readable medium needed to realize the computer program's functionality. In contrast, a claimed computer-readable medium encoded with a computer program defines structural and functional interrelationships between the computer program and the medium which permit the computer program's functionality to be realized, and is thus statutory. Warmerdam, 33 F.3d at 1361, 31 USPQ2d at 1760. In re Sarkar, 588 F.2d 1330, 1333, 200 USPQ 132, 137 (CCPA 1978). See MPEP § 2106(IV)(B)(1)(a).

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 6 – 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Here, the claim comprises "assigning a foreign agent in the first wireless domain", but does not explicitly state who in fact does the actual assigning. This makes claim 6 vague and indefinite.

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Claims 7 - 8 are also rejected based on their dependency on rejected claim 6 above.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 – 8, and 11 – 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Adrangi et al. (US PGPub # 2004/0025051A1).

Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. Applicant should consider the entire prior art as applicable as to the limitations of the claims. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

**As per claims 1 and 13:** Adrangi shows a method / wireless access point, comprising: control logic configured to facilitating roaming between domains (see Figure 1, and paragraphs 0012, 0013, and 0019), comprising: providing preliminary connectivity to a first wireless user (see paragraph 0030, "MN1") on a first wireless network (see Figure 7) in a first wireless domain (see paragraph 0030, "foreign MSG domain under MSG2"), said first wireless network not including a home agent associated with the first wireless user; receiving identifying information and registration information associated with the first wireless user on the first wireless network (see paragraph 0022); sending the identifying information and registration information to a second domain containing the home agent associated with the first wireless user (see paragraphs 0023 and 0024); receiving an access result from the second domain (see paragraphs 0018, 0019, and 0023); and selectively granting access to the wireless user to enable the wireless user

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to gain admittance on the first wireless network based on the access result (see paragraphs 0018, 0019, and 0023).

**As per claims 2 and 14:** Adrangi shows the additional limitations - wherein the registration information comprises home agent identifying information (see paragraph 0024) associated with the home agent.

**As per claims 3 and 15:** Adrangi shows the additional limitations - wherein the home agent identifying information is not encrypted when received by the first wireless network, and wherein the identifying information is encrypted (see paragraph 0031) when received by the first wireless network, and wherein the first wireless network does not decrypt the identifying information prior to transmitting the identifying information to the second network

**As per claims 4 and 16:** Adrangi shows the additional limitations - wherein the registration information comprises foreign agent identifying information associated with a foreign agent (see paragraphs 0023, 0024, and 0030) in the first wireless domain configured to receive communications (see paragraphs 0016 and 0018) on behalf of the wireless user.

**As per claims 5 and 17:** Adrangi shows the additional limitations - wherein the wherein the registration information comprises home agent identifying information associated with the home agent, and foreign agent identifying information associated with a foreign agent in the first wireless domain ((see paragraphs 0023, 0024, and 0030)) configured to receive communications on behalf of the wireless user (see paragraphs 0016 and 0018).

**As per claim 6:** Adrangi shows the additional limitations - further comprising assigning a foreign agent in the first wireless domain (see paragraph 0014) configured to receive communications on behalf of the wireless user (see paragraphs 0016 and 0018).

**As per claim 7:** Adrangi shows the additional limitations - wherein sending further comprises sending foreign agent identifying information to the second domain (see paragraphs 0023 and 0024).

**As per claim 8:** Adrangi shows the additional limitations - wherein the home agent is configured to receive communications (see paragraph 0018) on behalf of the wireless user and forward the communications to the foreign agent (see paragraph 0030) based on the foreign agent identifying information.

**As per claim 11:** Adrangi shows the additional limitations - wherein receiving identifying information and registration information (see paragraph 0022) further comprises receiving conceptual information associated with a virtual private network (VPN) (see paragraph 0014).

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**As per claim 12:** Adrangi shows the additional limitations - further comprising providing access to the wireless user by the first wireless network to the VPN associated with the conceptual information (see paragraphs 0014 and 0033).

**As per claim 18:** Adrangi shows the additional limitations - wherein foreign agent identifying information identifies the wireless access point (see paragraph 0026).

**As per claim 19:** Adrangi shows the additional limitations - wherein foreign agent identifying information identifies a network device in the first domain other than the wireless access point (see paragraph 0026).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adrangi et al. (US PGPub # 2004/0025051A1) in view of Corrigan et al. (USPGPub # 2002/0187775A1).

Here, the Adrangi reference has disclosed all the limitations of the rejected claims as it has been applied to above. However, Adrangi does not teach the use of a user ID and password / token to further comprise the identification information.

On the other hand, Corrigan does teach the use of a user ID and password / token to further comprise the identification information (see paragraphs 0052, 0070, and 0080) as cited in claims 9 and 10.

Hence, it would have been obvious to one of ordinary skill in the art to have included the use of a user ID and password / token shown in Corrigan, into the invention taught by Adrangi above, in order to verify that the user is authorized to access a particular service before opening a secure connection with the appropriate application server (see paragraph 0080 of the Corrigan reference).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Corbann A. Banks whose telephone number is (571) 270-1021. The examiner can normally be reached on Monday - Thursday from 8:30 am to 4:30pm. The examiner can also be reached on alternate Fridays during the same hours.

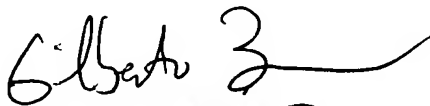
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron, can be reached on Monday – Friday, from 8:30 am to 4:30pm. His telephone number is (571) 272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

C.B.

Corbann Banks

November 02, 2006

  
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